

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT
P.O. Box 193939
95 Seventh Street
San Francisco, CA. 94119-3939**

[*date*]

[*pro bono attorney name*]
[*pro bono attorney address*]

Re: CA No. [*appeal number and title*]

Dear [*Pro Bono Attorney*]:

Thank you for participating in the court's Pro Bono Project and for agreeing to represent the [*petitioner/appellant*] pro bono in the above appeal. You will note that the order of appointment provides that you are appointed to represent the [*petitioner/appellant*] "for the purposes of this appeal only." Accordingly, your appointment includes only the handling of this appeal and the drafting of a petition for rehearing where requested by the client, but does not include the preparation and filing of a petition for certiorari in the Supreme Court or any other proceedings in any other court unless specifically requested by this court or agreed upon between you and your client. This letter outlines some of the relevant aspects of the court's program.

This appeal has been pre-screened by a staff attorney and/or a panel of judges and has been determined to be a non-frivolous appeal warranting the appointment of pro bono counsel because the court will benefit from the assistance of counsel. As the court's project coordinator, I will work with you to establish a briefing schedule that meets your scheduling needs to the extent possible, and to provide you with whatever additional record information you may need about the case. Where appropriate, you may request that the appeal be included in the court's pre-briefing settlement conference program.

As you will be representing the [*petitioner/appellant*] in this appeal, you may wish to consider entering into your standard pro bono representation agreement with your new client. See the pro bono section of the Court's web site (www.ca9.uscourts.gov) for a sample agreement (with the author's permission). Please note that, in some states in this circuit, such an agreement is mandatory. Throughout your representation, it is your responsibility to be familiar with and comply with all applicable state law requirements as well as this court's rules. Reasonable and necessary costs incurred in your representation of [*petitioner/appellant*] are reimbursable by the court upon request (see attached guidelines). If you will need to travel to oral argument, you must contact the Clerk at (415) 355-7873 to arrange for government air and hotel rates. In addition, statutory attorneys' fees are available to pro bono counsel to the same extent that they are available to retained counsel.

If circumstances arise that require you to withdraw as counsel for [petitioner/appellant], you may make such a motion based on any of the established grounds for doing so. Such a motion will not generally be disfavored solely on the basis that it would result in further delay unless such delay would severely prejudice the [petitioner/appellant].

The court has committed to hearing oral argument in appeals selected for inclusion in the program. Oral argument will generally be scheduled in the district in which the action was brought. In cases where appointment is for mediation purposes, the court may not guarantee briefing or argument. Counsel may withdraw if mediation is not successful.

When you have completed your representation of this [petitioner/appellant], please fill out and return to me the attached evaluation and comments form. The court relies heavily on your input to strengthen the program.

If you have any questions about your appointment or about the program, please contact me at (415) 355-8049. For any other questions about this or any other appeal, please contact the Clerk's office at (415) 355-8000. Thank you again for your participation in the program.

Sincerely,

Jo Ann Comstock
Pro Bono Project Coordinator

cc: [district coordinator]